

MINUTES
REPRESENTATIVE TOWN MEETING
TGS&A COMMITTEE

January 9, 2006

Call to Order: With seven out of 10 members present, the Chairman called the meeting to order at 8:00 pm.

Acceptance of the Agenda: The Agenda was accepted by unanimous consent.

Public Hearing: The Chairman opened the Public Hearing on the proposed changes to section 33 of the Code of Ordinances to give the Town's Parks and Recreation Commission clear authority to promulgate rules and regulations. The Chairman gave background information and explained that the section as stands is confusing and moreover the change will streamline the process. Cheryl Russell and Gary Swenson (members of the RTM Parks and Recreation Committee) appeared for the hearing. The Commission requested the proposed change almost two years ago. The town Police Department also supports the proposed changes as long as there is consistent day the rules go into effect.

The participants raised questions on the enforceability of rules and regulations; however town counsel has given legal opinion that rules and regulations have the same legal authority and enforceability as ordinances. The participants also raised concerns regarding checks and balances in giving an appointed Commission the authority to promulgate rules and regulations.

The public hearing ended at 8:30 pm.

Discussion: The Committee discussed the issues raised at the public hearing and concluded that it should act on the proposed change to the Code since the issue has been pending for two years and further delays are not warranted. The Committee was satisfied that there are adequate checks and balances in place which includes the ability of the RTM to pass an ordinance.

The Committee unanimously expressed its support for the concept and the objectives behind the proposed change. The Committee asked the Chairman to attend the next meeting of the Parks and Recreation Commission, clarify some further issues with town counsel and prepare a definitive resolution for the TGS&A Committee to adopt at a meeting to be held on January 23, 2006 at 8:00 pm prior to the RTM plenary session.

TGS&A Plan of Action on Other Matters: The Chairman informed the Committee that the following matters will come for consideration: (a) changes to the Town Charter regarding Purchasing Practices; (b) changes to the Town Charter regarding the Pension Boards; and (c) additions to the Code of Ordinances regarding shell fishing, noise and

newspaper vending machines. The specific Charter changes include 1) an update to some of the purchasing practices by adjusting the threshold amounts and the types of items that require a bidding process versus those allowed to be purchased as commodities and 2) an update to correct the fact that the town has two separate Pension Boards with identical functions but different language in the Charter. The goal in both cases is to make the language consistent. There is no intention to impact any aspect of the functions of the respective Pension Boards. Charter changes require the publication of a notice for a public hearing.

Following discussion of the issues and consideration of the schedule of the upcoming Committee and RTM meetings, the Committee decided submit the Town Charter changes to the RTM meeting of March 20, 2006. The Committee will hold public hearings at its meeting of March 6, 2006.

The Chairman will follow up on obtaining a black-lined copy of the Code of Ordinance with all the proposed changes for the Committee members.

The Clerk will follow up on the timely publication of the Notice for Public Hearing.

Joe Warren, Jr. will work with the Darien Revitalization Committee to look into the newspaper dispensing machines on sidewalks and the ordinances of other towns regulating such machines and report back to the Committee.

Adjournment: There being no other business, the meeting adjourned by unanimous consent at 9:45 pm.

Recorded by:

/S/ Simon Y. Balian
Clerk